

Exhibit 6

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Subject: Texas v. Google, US v. Google Coordination
Date: Wednesday, March 27, 2024 3:06:36 PM

Dear Counsel for Google and the Texas Plaintiffs,

We have been following developments in the EDTX ad tech case related to coordination with the EDVA ad tech case. We appreciate counsel for Texas bringing our view to the attention of Judge Jordan during the recent status conference.

We are encouraged that Google counsel pledged to Judge Jordan that Google “intend[s] to do everything that we can to sort of continue the effectuation of the existing coordination order that was entered in Virginia and the MDL” and that Judge Jordan suggested the parties “work together ... per the email that Mr. Lanier showed, as much as possible under the kinds of agreements you made in the coordination agreement, even though no one’s bound by that.” (3/21 Tr. 42:17-20, 43:21-44:2.)

To continue effectuating that coordination, we want to make the following two proposals:

1. Google, the EDTX Plaintiffs, and EDVA Plaintiffs agree that: Notwithstanding the EDTX Protective Order, counsel for the EDVA Plaintiffs may obtain transcripts and exhibits of all depositions taken in the EDTX case after the fact discovery cutoff in the EDVA case directly from the court reporters for those depositions. Such deposition transcripts would be subject to paragraph 6.d of the EDVA Coordination Order, and would not be usable in the EDVA Case by either side for any purpose other than impeachment at trial. (This simply applies the same rule already in place in the EDVA Coordination for the SDNY case to the EDTX case, and clarifies for both sides the extent to which EDTX deposition transcripts may be used in the EDVA case.)
2. To the extent that Google de-privileges any document in the EDTX Case or the MDL Case that is also listed on any privilege log served on the EDVA Plaintiffs, Google agrees to produce that document to the EDVA Plaintiffs at the same time as the EDTX or MDL Plaintiffs.

We ask that you provide your views on those proposals, and if necessary propose times to meet and confer.

Regards,
Michael Wolin

Michael Wolin (he/him)

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